ADJOURNMENT MOTION.

President. I have received notice of an adjournment motion from Mr. G. Narayana Aiyar. It reads as follows :

"I have the honour to request you to be kind enough to sanction the adjournment of the business of the House to discuss a definite matter of urgent public importance causing serious loss to the public due to the recent Circular issued by the Director of Registration, which runs as follows :

'From and after 1-1-1111, all transactions between parties mentioned in the recital or body of a receipt for payment which would be assessable to registration fees if stated in an instrument separate in itself, should have their value also taken into consideration in assessing the fee leviable on the record, unless the transaction of record or payment so referred to has been previously registered and the registration fee leviable on it had already been credited to Government. The assessment for fees need be made only on the total of the payments referred to in the recital The registering officers should also see that references to marriages, divorce and similar relations between parties for the instruments evidencing which fixed fees are leviable, mentioned in the document, are not omitted from account in calculating total fee and stamp duty leviable on the receipt, if they are not referred to as having formed the subject of registered instruments already.' "

The Chair before considering the motion and its admissibility has to consider whether the point that has been raised in the motion is of recent occurrence. In the adjournment motion itself the fact emerges that this particular circular which is sought to be discussed in the form of an adjournment motion was issued by the Director of Registration some time before 1-1-1111 and it had to come into operation from 1-1-1111. Therefore it is not a matter of recent occurrence. The Chair has also ascertained for the purpose of this motion, that this particular circular was issued on the 3rd August 1935. The House is aware that their last Session began on the 6th August 1935. The circular which is now sought to be brought up for discussion was therefore in operation at the time when the House met last. It was, I take it, the obvious duty of the honourable member who brings a motion of this character to have taken the earliest opportunity of knowing the details. It is evident that the member did not do so. Unless there were strong grounds as to why he did not do so and unless there is a satisfactory explanation on that point this motion cannot be regarded as coming strictly within the four corners of the rules governing adjournment motions.

Mr. G. Narayana Aiyar: May I explain, Sir? The circular that was referred to in the adjournment motion was brought to the notice of the public only from Chingam of this year. The

LIBRARY ARCHIVES Kerala Legislative Assembly

circular was not published in the Gazette. I understand the circular was sent to Sub-Registrars and District Registrars for their information. The public had the opportunity of knowing the effect of the circular only very late and that was after Chingam of this year. Hence there was no possibility of bringing this matter to the notice of the House. The earliest opportunity afforded is the present occasion and hence my motion.

Mr. M. N. Paramesvaran Pillai. May I know from the member what prevented him from sending up a resolution this time in the matter ?

President : There has been some explanation offered and the member who is himself a limb of law proposes to take shelter under that old dictum *Ignoratio legis neminem excusat.* However this is a matter which affects considerably, I should say, the agenda placed before the House for three days. The House must realise the importance of each item of work on the agenda. The House will also realise the time available for the disposal of that agenda. In the light of these facts I would like to know whether the member has the leave of the House to move the adjournment.

Mr. Kayalam Paramesvaran Pillai: I object to leave being granted to this motion in the light of the fact that we have a heavy agenda to be gone through.

Mr. M. N. Paramesvaran Pillai: May I also say a word ?

President: An objection having been taken, may I know the sense of the House ?

Mr. M. N. Paramesvaran Pillai: There is the report of the Agricultural Debt Redemption Committee to be considered. That is a very important report. We have only a very short time at our disposal to consider that. If a day more could be extended, as was done in the case of the Assembly by the Dewan, that could help us to decide.

President: That is a separate matter. That does not arise

Mr. M. N. Paramesvaran Pillai: In order that we may exercise our discretion in the matter, we would like to know whether there will be an extension of a day more for the Council ?

President: The Dewan may or may not find it possible to give time. It is not possible for the Dewan to decide that question within five minutes. The questions raised are all hypothetical and that ought not to weigh in the mind of the House. The question is whether it has got three days and no more.

The question that the motion for adjournment of the business of the House be allowed was then put and carried.

LIBRARY ARCHIVES Kerala Legislative Assembly

Leave was granted for the adjournment motion.

FELICITATIONS TO THE DEWAN—PRESIDENT.

Mr. Kochikal P. Balakrishnan Tampi (*Mavelikara and Karthikapalli* cum *Kunnattur*): I crave the permission of the Chair to felicitate the Dewan—President on the great honour conferred upon him by His Gracious Highness the Maha Raja. I will not take up much time of the House nor this opportunity of extolling, Sir, your virtues especially when you are in the Chair.

President: I have not fixed the day and hour for the discussion of the adjournment motion. As the member has obtained the leave of the House, the Chair did not wish to stand between the House and the member who has brought the adjournment motion But the Chair will at the same time warn the House that it has done this at its own risk. The chances are that no extension of days will be granted. On the face of this fact the motion is posted for discussion to to-morrow afternoon.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I have very great pleasure to extend to you our most hearty felicitations on the great honour conferred on you by His Gracious Highness the Maha Raja.

Mr. M. N. Paramesvaran Pillai: Sir, on a point of order. Is the member in order in referring to the title conferred on the Dewan of Travancore by His Gracious Highness the Maha Raja and thus bringing into discussion the name of the Dewan and His Highness the Maha Raja?

President: I wish some body else were in the Chair when such a point is raised. (*Laughter*)

Mr. Kochikal P. Balakrishnan Tampi: I do not want to introduce anything controversial. I thought the member was asking whether I was doing it in good form I was about to say that good manners should require my friend not to interrupt me.

Mr. M. N. Paramesvaran Pillai: I want a ruling on the point of order raised by me.

Mr. Kochikal P. Balakrishnan Tampi: Ignoring that for the time being, may I be permitted ... .

Mr. M. N. Paramesvaran Pillai: How can I be ignored ? I strongly protest against that. I have raised a point of order which I am entitled to under the rules and I want a ruling on that.

President: The only point of order is whether it is in proper form for any member to felicitate the Dewan on some title that has been conferred on him by His Highness the Maha Raja.

Mr. Kochikal P. Balakrishnan Tampi: Permit me Sir, to explain .....

LIBRARY ARCHIVES Kerala Legislative Assembly